CLASSIFICATION OFFICE DECISION

Title of publication:	MediaTakeOut.com
Other known title(s):	Not stated
OFLC ref:	1400917.002
Medium:	Computer Image File Printout
Publisher:	Not stated
Country of origin:	Not stated
Language:	English
Applicant:	Commissioner of Police
Classification:	Objectionable except if the availability of the publication is restricted to persons who have attained the age of 16 years.
Descriptive note:	None
Display conditions:	None
Date of entry in Register:	12 November 2014
Date of direction to issue a label:	No direction to issue a label has been issued
Date of notice of decision:	12 November 2014

Summary of reasons for decision:

The image on the printout presents genital disease and deformation as a shocking spectacle that is likely to cause many viewers to feel revulsion and disgust. No genuine attempt to educate viewers is evident and the lack of an informative context is problematic. The image is capable of disturbing children and young teenagers. It is likely to have a harmful effect on the development of sexual attitudes and behaviour, and on young viewers' ability to receive positive messages about sexual health. If the image in question were to be presented within an informative context, for instance as part of an educational or medical text, it is likely that it would be unrestricted. Without that context, a restriction that precludes availability to persons under 16 years is required.

The classification of this publication interferes with the right to freedom of expression as set out in the New Zealand Bill of Rights Act 1990. However, given the likelihood of injury to the public good if the publication is available to young viewers, the decision is reasonable, demonstrably justified and the minimum required to prevent injury.